



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

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M60050_004153
MCAS EL TORO
SSIC NO. 5090.3.A

August 15, 1997

Mr. Joseph Joyce
BRAC Environmental Coordinator
AC/S Environment (1AU)
MCAS El Toro
P. O. Box 95001
Santa Ana, Ca 92709-5001

Re: EPA Review of DON Response to EPA's Comments on the FS for OU2C, Sites
3&5, MCAS El Toro

Dear Mr. Joyce:

U. S. EPA (EPA) has reviewed the Department of the Navy (DON) response to the document referenced above. Overall, the DON responses are satisfactory, however, there are several responses that need some clarification or revision as stated below:

Comment 1: EPA agrees with the proposed changes.

Comment 2: The DON is now saying that none of these regulations (Title 22, 23, 14 or Part 258) are applicable since Sites 3 and 5 ceased operations before these regulations became effective. Therefore, DON is choosing to make portions of these regulations relevant and appropriate - in effect, picking and choosing from these sets of regulations. While EPA does not object to this approach, it is confusing to have one body of regulations, e.g., Title 22, applicable and then also have Title 23 and Title 14 relevant and appropriate.

Comment 5: Will the explanation in the response be included in the text?

Comment 12: Re: MCLs as cleanup goals vs risk-based criteria - if there are ARARs for the contaminants found at the sites, then those ARARs should be the cleanup goals for all the sites, unless DON can demonstrate that these ARARs are not protective. In that case, it is fine to use risk-based criteria for determining cleanup goals.

Comment 18: While EPA does not disagree that DON has to comply with DOT requirements, EPA still disagrees that these are ARARs. A suggestion is to remove DOT requirements from the ARARs Table and put them in the section in the text following ARARs, under a separate subheading such as "other requirements that will be complied with."

ARARs (Appendix A)

Rec'd
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Comment 24: We still do not know what this citation refers to. Can DON find out why the Santa Ana Water Board cited this as a State ARAR, and exactly what state requirement DON is agreeing to comply with here?

Comment 25: The response states: CAA ARARs were deleted because these were not identified. Please clarify: do you mean that none of the CAA requirements apply here or do you mean, you just did not identify them?

Please call me at (415) 744-2210 if you want to discuss any of the above.

Sincerely,



Glenn R. Kistner
Remedial Project Manager
Federal Facilities Cleanup Branch

cc: Tayseer Mahmoud, DTSC
Larry Vitale, RWQCB
Andy Piszkin, SWDIV
Tim Latas, Bechtel